

Application No.: 09/847,326

Docket No.: 20260-00072-US

REMARKS

Claims 29-37 and 39-44 are pending in the application. Favorable reconsideration of the application is requested.

Withdrawal of the rejection under 35 U.S.C. § 112 is requested. The claims have been rewritten and extensively amended to avoid the concerns raised in the Office Action.

Withdrawal of the rejection of the claims under the judicially created doctrine of obviousness type double patenting over U.S. Pat. No. 5,696,911 (Fredriksson) in view of U.S. Pat. No. 6,000,825 A (Fredriksson) is requested. The claims of the aforesaid two patents do not, when combined, render the subject matter of the currently amended claims unpatentable. For instance, claim 41 describes a portable radio communication device which is capable of initiating a command sent by a radiocommunication link to a second module connected to a CAN-system. The second module creates a CAN message and forwards it to a first module which is at the location of the portable radio communication means. In this way, a user can initiate commands while observing the operation of equipment connected to a first module of the CAN-system.

As noted in the Office Action, neither of the patents include within their claims, a radiocommunication equipment means. Unless the claims have such means or an equivalent means, it cannot render the subject matter of the amended claims obvious. For instance, the amended claims as noted above include a portable radiocommunication means to allow commands to be sent from one of the modules, to thereby observe its operation when a second module generates a command for the CAN bus. There is no possible combination of the claims of the foregoing issued patents which would render this limitation obvious, nor the claims as a whole of the present application obvious.

Application No.: 09/847,326

Docket No.: 20260-00072-US

Withdrawal of the rejection under 35 U.S.C. § 103 as claiming subject matter which is unpatentable over Heins (U.S. Pat. No. 5,596,437) in view of Dorenbos (U.S. Pat. No. 5,751,813) is requested. The Heins (U.S. Pat. No. 5,596,437) device discloses, as noted in the Office Action, an x-ray device which utilizes a CAN-system for controlling various features of the device. The x-ray device includes a node which can communicate via an infrared link, or other wireless transmitters, to an operating unit. While commands can be issued over the infrared communications link from the operating unit, there is no indication that the unit can be moved from module-to-module, such that the operation of a given module may be observed by issuing commands from a portable operating unit.

In accordance with new claim 42, the portable unit is capable of receiving messages, and viewing the messages with respect to operation of equipment connected to a first module. In this way, modules may be either given commands from the portable unit per claim 41 or the equipment connected to a module may be exercised in a way to generate commands which are ultimately sent via the CAN network to the second module, where they are transmitted via the radiocommunication link back to the location where the equipment resides. Thus, an individual may observe the operation of the equipment while receiving messages generated by the equipment.

The cited reference appears to show communications between a dedicated node 8 and a fixed operating unit 102 which communicates with the node 8. The ability to move the operating unit from location-to-location to permit testing of individual components which are distributed between different locations is not disclosed in Heins (U.S. Pat. No. 5,596,437). As Heins (U.S. Pat. No. 5,596,437) discloses a single machine, an x-ray device having components located basically in the same position, it would not be obvious to one skilled in the art to have a system which can be moved from component to component so that it may be observed in operation.

Application No.: 09/847,326

Docket No.: 20260-00072-US

Turning now to the secondary reference to Dorenbos (U.S. Pat. No. 5,751,813), a type of encryption server for encrypting messages is disclosed. It is not clear what applicability this may have to the currently claimed system, in that it appears to be devoted entirely to the subject of providing encrypted messages to various recipients which does not require individual public keys to be used for each recipient. In reviewing the Applicants amended claims, none of the features of these claims appears to be disclosed or shown in the Dorenbos (U.S. Pat. No. 5,751,813) reference, and accordingly its combination with the primary reference to Heins (U.S. Pat. No. 5,596,437) cannot yield or disclose Applicants portable device for testing equipment of a CAN network.

In view of the foregoing, favorable reconsideration is believed to be in order.

The Commissioner is authorized to charge any deficiency to our Deposit Account No. 22-0185, under Order No. 20260-00072-US from which the undersigned is authorized to draw.

Dated:

February 20, 2004

Respectfully submitted,

for By *George R. Pettit* -46,750
George R. Pettit, Reg. No. 27,369
CONNOLLY BOVE LODGE & HUTZ LLP
1990 M Street, N.W., Suite 800
Washington, DC 20036-3425
(202) 331-7111
(202) 293-6229 (Fax)
Attorney for Applicant